

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Max Bernstein	Team: Team # 6	CCRB Case #: 201208577	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 07/04/2012 8:00 PM	Location of Incident: § 87(2)(b)	Precinct: 42	18 Mo. SOL 1/4/2014	EO SOL 1/4/2014	
Date/Time CV Reported Thu, 07/05/2012 1:20 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 07/05/2012 1:20 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Mauricio Thomas	26957	945466	042 PCT
2. DI Jon Bloch	00000	915322	042 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POF Robyn Kreppel	05420	947140	042 PCT
2. LT David Vasquez	00000	916845	042 PCT

Officer(s)	Allegation	Investigator Recommendation
A. DI Jon Bloch	Discourtesy: DI Jon Bloch spoke discourteously to § 87(2)(b)	§ 87(2)(b)
B. DI Jon Bloch	Abuse: DI Jon Bloch authorized the frisk of § 87(2)(b)	§ 87(2)(b)
C. DI Jon Bloch	Abuse: DI Jon Bloch authorized the search of § 87(2)(b)	§ 87(2)(b)
D. POM Mauricio Thomas	Abuse: PO Mauricio Thomas threatened § 87(2)(b) with the use of force.	§ 87(2)(b)

### Case Summary

On July 5, 2012, § 87(2)(b) filed this complaint with the CCRB via telephone, on behalf of her son, § 87(2)(b). This is the first complaint filed by § 87(2)(b) and the first complaint § 87(2)(b) has been involved in.

§ 87(2)(b) and § 87(2)(b) accepted mediation as a method to resolve this complaint and on July 12, 2012, this case was forwarded to the mediation unit. However, two of the officers involved chose not to participate in mediation and on March 1, 2013, the case was returned to the investigation unit.

On July 4, 2012, at approximately 8:15 p.m., § 87(2)(b) was outside of § 87(2)(b) in the Bronx with his younger brother, § 87(2)(b) his cousins, § 87(2)(b) Fritz Kennelly, and § 87(2)(b). An unmarked black car pulled up in front of § 87(2)(b) and four uniformed officers exited the vehicle, identified through investigation as DI Jon Bloch, Lt. David Vazquez, PO Robyn Kreppel, and PO Mauricio Thomas, all of the 42<sup>nd</sup> Precinct. In § 87(2)(b) sworn statement, he said that he did not recall if he had any fireworks on him before officers approached, however in his telephone statement, § 87(2)(b) said that he had one firework in his hand as the officers approached, but he was not intending to light it. PO Kreppel told § 87(2)(b) to stop, but § 87(2)(b) cousin told him to go inside of the apartment, where his mother was. As § 87(2)(b) walked towards the door of § 87(2)(b) DI Bloch said to § 87(2)(b) “Are you fucking stupid?” (**Allegation A**). DI Bloch then told PO Kreppel to take § 87(2)(b) to the sidewalk, which she did. PO Kreppel frisked § 87(2)(b) pants pockets (**Allegation B**). PO Kreppel then put her hands inside of both of his pockets on the right side (**Allegation C**). However, before PO Kreppel moved to the left side, § 87(2)(b) pulled out his cell phone from his left side. § 87(2)(b) wanted to call his mother to let her know what was going on. § 87(2)(b) extended his left arm backwards and told § 87(2)(b) to take the phone and call his mother. Before § 87(2)(b) was able to take the phone, PO Thomas walked over to § 87(2)(b) and grabbed his arm and twisted it up against his back. When PO Thomas did this, § 87(2)(b) phone fell out of his hand and fell underneath the blue parked car. The battery of the phone fell out, however, the phone did not break. PO Thomas held onto § 87(2)(b) arm and stated, “I can easily break your arm” (**Allegation D**). PO Thomas put § 87(2)(b) in handcuffs at this time. PO Kreppel then explained to § 87(2)(b) that although fireworks are illegal, § 87(2)(b) would not get in any real trouble for this incident because it was a holiday and PO Kreppel was “let[ting] it slide.” This was the first time in the incident § 87(2)(b) heard any officer mention fireworks. After § 87(2)(b) information was taken down, his handcuffs were removed and he was told that he was free to leave. § 87(2)(b) was not summonsed or arrested as a result of this incident.

§ 87(2)(g)

§ 87(2)(b) and § 87(2)(b) provided the names of the four officers involved and Lt. Vazquez, PO Thomas, and PO Kreppel all acknowledged their presence at the scene. In PO Kreppel’s CCRB statement, she said that DI Bloch instructed her to stop § 87(2)(b) and to frisk and search him. § 87(2)(g)

DI Bloch had been a member of the service for 19 years and there were no substantiated CCRB allegations against him.

§ 87(2)(b) stated that the officer who threatened to break his arm was the black officer at the scene. While PO Thomas' race is listed as Hispanic, he is dark-skinned. Additionally, § 87(2)(b) and § 87(2)(b) identified PO Thomas by name as the officer who threatened him. § 87(2)(g)

On July 15, 2013, the CCRB was notified that DI Bloch was injured while on the job and no longer worked for the NYPD. On the same day, Lt. Lee Albano provided a note that came down through the FINEST system that as of June 20, 2013, DI Bloch was on disability and no longer was a Member of Service. § 87(2)(g)

As stated above, § 87(2)(b) alleged that PO Thomas said to him, "I can easily break your arm." § 87(2)(b) corroborated this testimony and said that PO Thomas told § 87(2)(b) "You want me to break your arm?" PO Thomas denied making the aforementioned statement or anything similar. PO Thomas said that he had no direct interaction with § 87(2)(b) and said nothing to him throughout the incident. The other officers present corroborated PO Thomas' account and did not hear him make any statement to § 87(2)(b) regarding breaking his arm.

§ 87(2)(g)

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Team: \_\_\_\_\_

Investigator: \_\_\_\_\_  
Signature Print Date

Supervisor: \_\_\_\_\_  
Title/Signature Print Date

Reviewer: \_\_\_\_\_  
Title/Signature Print Date

Reviewer: \_\_\_\_\_  
Title/Signature Print Date